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CLERK US DISTRICT COURT
DISTRICT OF ARIZONA

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CR24-02352 TUC-SHR(JR)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

Erik Alberto Beal,

Defendant.

INDICTMENT

Violations:

18 U.S.C. §§ 111(a)(1), 111(b), and 1114
(Assault on a Federal Officer with a
Dangerous Weapon)
Count 1

18 U.S.C. § 924(c)(1)(A)(ii)
(Brandishing a Firearm During a Crime of
Violence)
Count 2

18 U.S.C. § 924(d);
28 U.S.C. § 2461(c)
(Forfeiture Allegation)

(UNDER SEAL)

THE GRAND JURY CHARGES:

COUNT 1

On or about April 11, 2024, at or near Nogales, in the District of Arizona, ERIK ALBERTO BEAL did intentionally and forcibly assault a federal law enforcement officer of an agency of the United States government, that is, United States Border Patrol Agent M. M., while Agent M. M. was engaged in or on account of the performance of his official duties, and in the commission of such assault, the defendant did use a deadly or dangerous weapon, that is, a Sig Sauer, Model P250, .45 caliber handgun; in violation of Title 18, United States Code, Sections 111(a), 111(b) and 1114.

COUNT 2

On or about April 11, 2024, at or near Nogales, in the District of Arizona, ERIK ALBERTO BEAL did knowingly brandish a firearm, that is, a Sig Sauer, Model P250, .45 caliber handgun, during and in relation to his assault of Border Patrol Agent M. M., a crime of violence, for which he may be prosecuted in a court of the United States, and is charged in Count One of this Indictment; in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

FORFEITURE ALLEGATION

Upon conviction of Count Two of the Indictment, the defendant, ERIK ALBERTO BEAL, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to: a Sig Sauer, Model P250, .45 caliber handgun, bearing serial number EAU020997.

If any of the property described above, as a result of any act or omission of the defendant: a) cannot be located upon the exercise of due diligence; b) has been transferred or sold to, or deposited with, a third party; c) has been placed beyond the jurisdiction of the court; d) has been substantially diminished in value; or e) has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property, including, but not limited to, all property, both real and personal, owned by the defendant.

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1 All pursuant to Title 18, United States Code, Section 924(d), Title 28, United States
2 Code, Section 2461(c), and Rule 32.2(a), Federal Rules of Criminal Procedure.

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4
5 A TRUE BILL

6 /s/

7 FOREPERSON OF THE GRAND JURY

8 Dated: May 1, 2024

9 GARY M. RESTAINO
10 United States Attorney
District of Arizona

REDACTED FOR
PUBLIC DISCLOSURE

11 /s/

12 SERRA M. TSETHLIKAI
13 Assistant U.S. Attorney